(1)

(3) Single Bench

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

WRIT PETITION NO. 1026 OF 2006

PETITIONER: Resham lal , S/o- Shri Late Shri Suklal Satnami, Aged About- 41 Years, R/o- Village & Post- Saragbundiya , Thesil- Kartala, Distt. Korba (C.G.)

VERSUS

RESPONDENT (S):

1. State of Chhattisgarh
Through it's Secretary
Department of Revenue
D.K.S. Bhawan Raipur (C.G.)

2. Collector
Distt. Korba (C.G)

3. Sub Divisional Officer (Revenue)/
Land Acquisition Officer
Distt. Korba (C.G)

P.R. No. 783/06 Dated
Presented by Shri Vinay Pandey
dated 14/12/06

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF AN APPROPRIATE WRIT IN THE NATURE OF MANDAMUS / CERTIORARI ETC. OR DIRECTION / ORDER IN THE LIKE NATURE.

(27)

HIGH COURT OF JUDICATURE CHHATTISGARH: BILASPUR

SINGLE BENCH : HON'BLE SHRI S.R. NAYAK, CJ

Writ Petition No.1021 OF 2006

PETITIONER : Om Prakash Pareikh, S/o- Shri Prithaviraj Pariekh, Aged about 44 years, R/o Village & Post Saragbundiya, Thesil – Kartala, Distt. Korba (C.G.)

VERSUS

RESPONDENT (S): 1. State of Chhattisgarh Through it's Secretary Department of Revenue D.K.S. Bhawan Raipur (C.G.)
2. Collector Distt. Korba (C.G.)
3. Sub divisional Officer (Revenue) / Land Acquisition Officer Distt. Korba (C.G.)

Writ Petition No.1024 OF 2006

PETITIONER : Shiv Kumar, S/o- shri Reshmlal, Aged About-20 Years, R/o- Village & Post-Saragbundiya, Thesil – Kartala, Distt. Korba (C.G.)

VERSUS

RESPONDENTS 1. State of Chhattisgarh Through it's Secretary Department of Revenue D.K.S. Bhawan Raipur (C.G.)
2. Collector Distt. Korba (C.G.)
3. Sub Divisional Officer (Revenue) / Land Acuqisition Officer Distt. Korba (C.G.)

Writ Petition No.1025 OF 2006

PETITIONER : Mayur Prakash Pareikh, S/o- Shri Prithaviraj Pareikh, Aged About-20 Years, R/o—Village & Post-Saragbundiya, Thesil_ Kartala, Distt. Korba (C.G.)

VERSUS

RESPONDENT (S) 1. State of Chhattisgarh Through it's Secretary Department of Revenue D.K.S. Bhawan Raipur (C.G.)
2. Collector Distt. Korba (C.G.)
3. Sub Divisional Officer (Revenue) / Land Acuqisition Officer Distt. Korba (C.G.)

Writ Petition No.1026 OF 2006

PETITIONER : Resham Lal, S/o- Shri Late Shri Suklal Satnami, Aged About – 41 Years, R/o- Village & Post – Saragbundiya, Thesil – Kartala, Distt. Korba (C.G.)

VERSUS

RESPONDENT (S) 1. State of Chhattisgarh Through it's Secretary Department of Revenue D.K.S. Bhawan Raipur (C.G.)

(28)

2. Collector Distt. Korba (C.G.)
3. Sub Divisional Officer (Revenue) / Land Acuqisition Officer Distt. Korba (C.G.)

Writ Petition No.1027 OF 2006

PETITIONER : Piyarelal, S/o- Late Shri Bhugdev, Aged About – 42 Years, R/o Village-Khoodal Post- Saragbundiya, Thesil – Kartala, Distt. Korba (C.G.)

VERSUS

RESPONDENT (S)

1. State of Chhattisgarh Through it's Secretary Department of Revenue D.K.S. Bhawan Raipur (C.G.)
2. Collector Distt. Korba (C.G.)
3. Sub Divisional Officer (Revenue) / Land Acuqisition Officer Distt. Korba (C.G.)

Present: Shri Vinay Pandey, learned counsel for the petitioners.
Shri Utkarsh Verma, learned counsel for the respondents.

ORAL ORDER
(Passed on 16th November, 2006)

The grievance of the petitioners is that though they made an applications on 19/7/2005 under Section 18 of Land Acquisition Act, 1894 seeking reference to the claim to the civil Court for higher compensation in respect of his land acquired for a public purpose, the second respondent, the Collector, has not yet referred the applications to the civil Court.

(2) Having heard the learned counsel for the parties, I dispose of the writ petitions directing the second respondent to refer the applications of the petitioners to the jurisdictional civil Court under Section 18 of the Act, if the application filed by the petitioners are within the time prescribed under the Act and subject to the petitioners performing other formalities, if any, within a period of fifteen days from the date of receipt of a copy of this order. No costs.

Sd/-
Chief Justice

Indu